



# The Town of Elsmere

11 Poplar Avenue, Elsmere, Delaware 19805

Phone (302) 998-2215 Fax (302) 998-9920

## MEMORANDUM

To: Chairman Paul Chalfant  
Town of Elsmere Board of Adjustment

Mayor

Deborah A. Norkavage

From: Chairman Charles G. Lindell  
Town of Elsmere Planning Commission

1<sup>st</sup> District Councilman  
President Pro-Tempor

John Jaremchuk Jr.

Re.: Petition 11-14

2<sup>nd</sup> District Councilman

Steven Burg

Date: November 2, 2011

Dear Chairman Chalfant,

3<sup>rd</sup> District Councilman  
Robert Kacperski

4<sup>th</sup> District Councilman  
Charles McKewen

5<sup>th</sup> District Councilwoman  
Secretary of Council  
Joann I. Personti

6<sup>th</sup> District Councilman  
Edward Olga

Town Treasurer  
Paul Chalfant

City Solicitor  
Edward McNally

At the November 1, 2011 meeting of the Town of Elsmere's Planning Commission, the Commission reviewed Petition 11-14 regarding Tax Parcel Number: 19-00-800-365. In this application, the applicant seeks a variance to construct a building on an undersized lot located in the FEMA Flood Zone at the property known as 2 N. Park Drive.

After hearing testimony and having their questions answered the Commission Members in attendance voted to recommend that the Board of Adjustment **Approve** the application with the following restriction(s):

1. The Applicant must comply with all a Flood Plain regulations.  
(An application has been filed for a LOMA)

Sincerely,

Charles G. Lindell, Chairman  
Town of Elsmere Planning Commission



# The Town of Elsmere

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## Application for Hearing

☒ Board of Adjustment

☒ Planning Commission

Petition # 11-14 Filing Fee: \$300<sup>00</sup> Date Received 9/28/11 Received by: CHA

Subject Property: 2 North Park Drive

Mayor

Deborah A. Norkavage

1<sup>st</sup> District Councilman

John Jaremechuk Jr.

2<sup>nd</sup> District Councilman

Steven Burg

3<sup>rd</sup> District Councilman

President Pro-Tempor

Thomas S. Novak Jr.

4<sup>th</sup> District Councilman

Charles McKewen

5<sup>th</sup> District Councilwoman  
Secretary of Council

Joann I. Personti

6<sup>th</sup> District Councilman

John Pasquale Jr.

Town Treasurer

Paul Chalfant

City Solicitor

Edward McNally

Property is: ☐ Residential ☒ Commercial

Tax Parcel # 1900800365 Zoning District: G1 (General Industrial)

Applicant name:

PELSA INC. - Michael R. Paraskewich Jr., PE

Address: 610 Peoples Plaza Telephone # 302-834-3771

City: Newark State: DE Zip Code: 19702

Application for Planning Commission Review of: Site Plan Review

Application for Zoning Variance Related to: \_\_\_\_\_

☐ Front yard setback

☒ Lot Coverage

☐ Rear yard setback

☐ Fencing

☐ Side yard setback

☐ Parking requirements

☒ Lot Area

☐ Signage

Application for Special Exception Use Permit for the following use: \_\_\_\_\_

Application for Appeal of an Administrative decision: \_\_\_\_\_

By: \_\_\_\_\_ Date: \_\_\_\_\_

For the following reasons: \_\_\_\_\_

Application for relief other than above: \_\_\_\_\_

A Council – Manager Municipality  
Located on the Net at [townofelsmere.com](http://townofelsmere.com)

State reasons for this request: \_\_\_\_\_

Site Plan Review with LOMA Pending

Has a previous application for this property been filed with the Town? ☐ Yes ☒ No

If yes, Petition # \_\_\_\_\_

If the applicant is not the Legal Owner of the property:

Legal owner information:

Name: Frank and John Rossi

Address: 512 Belmont Ave Telephone # 999-7782

City: Elsmere State: DE Zip Code: 19804

Please submit the following with this petition:

- A copy of a plot plan showing the following: location of the property; a diagram showing the layout, size, and location of existing structures on the property; a diagram showing the layout, size, and location of any proposed structures on the property.
- A copy of any deed restrictions on the property.  
NOTE: THE BOARD OF ADJUSTMENT OR PLANNING COMMISSION CANNOT APPROVE ANY APPLICATION PROHIBITED BY DEED RESTRICTIONS.
- Filing fee, payable to the Town of Elsmere.

The undersigned hereby certifies that the legal owner of the subject property is aware of, and agrees to the filing of this application, that the information submitted herein is correct, and agrees to be bound by any decision of the Town of Elsmere Board of Adjustment with respect to the subject property.

**NOTE: The legal owner or his/her authorized representative must sign this form.**

Applicant's Signature: \_\_\_\_\_ Date: 10/20/14

Legal Owner's Signature: John Rossi Date: 10/20/11

In addition to the persons listed above please send copies of all correspondence to:

Name: \_\_\_\_\_

Address: \_\_\_\_\_ Telephone # \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

**Site Analysis**  
**Petition 11-14**

**Property Owner:** Frank & John Rossi

**Zoning District:** GI

**Address:** 2 N. Park Dr.

**Primary Use:** Property Vacant

**Parcel No.:** 1900800365

**LOT COVERAGE CALCULATIONS**

**Lot Area in Sq. Ft.:** 12,197                      Sq. Ft. (.28 Acres)

**Allowable Lot Coverage:** 10,367                      Sq. Ft. (85%)

**Total Coverage:**        0                      Sq. Ft. (0%)

❖ Residence=	0	Sq. Ft. 0
❖ Front Porch =	0	Sq. Ft. 0
❖ Garage=	0	Sq. Ft. 0
❖ Driveway=	0	Sq. Ft. 0
❖ Rear Patio=	0	Sq. Ft. 0

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**Proposed Addition:** 4,410                      Sq. Ft.

**Proposed Total:**        4,410                      Sq. Ft. (    %)

**Conclusion:** Lot does not meet the provisions of Town of Elsmere Code 225-4. 50% of the district requirement is 43,560 sq. ft, and the lot is 12,197.

<b>Required Setbacks:</b>	Front: 20	Rear: 20
	Side: 0	Both Sides: 0

<b>Existing Setbacks:</b>	Front: N/A	Rear: N/A
	Side: N/A	Both Sides: N/A

<b>Proposed Setbacks:</b>	Front: 30+/-	Rear: 28+/-
	Side: 1	Both Sides: 41

**Conclusion:** There are no proposed setback violations.

**STATEMENT OF FACT**

The lot is 12,197 sq. ft with a structure area of 4,410 sq. ft which is 36% of said parcel.  
The setbacks comply with Town of Elsmere Code 225.

### **ISSUE**

- 1) Parcel lies in FEMA flood zone AE and Town of Elsmere Code requires Planning Commission review. All proposed construction shall comply with Town of Elsmere Code 225-11 and 225-22.
- 2) The proposed use of the structure is undetermined.
- 3) The parcel cannot comply with Town of Elsmere Code 225-24 for undersized lot requirements. Town of Elsmere Code 225-24 allows construction on undersized parcels so long as they are at least 50% of the 87,120 sq. ft required. Said lot is 12,197 sq. ft. Additionally, Town of Elsmere Code 225-24 requires undersized parcels to at least be 50% of width requirements, GI minimum width is 300'. Said parcel is 126.88' under the 150' requirement.
- 4) Compliance with Town of Elsmere Code 225-10 has not been demonstrated on the plans submitted.





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**EXHIBIT**

A:



## Rossi Property

Disclaimer: For informational purposes only - not to be used as official documentation.

